

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:)	
FAIRFIELD SENTRY LIMITED, et al.,)	Chapter 15 Case
Debtors in Foreign Proceedings.)	Case No: 10-13164 (SMB)
)	Jointly Administered
FAIRFIELD SENTRY LIMITED (IN LIQUIDATION) and)	
FAIRFIELD SIGMA LIMITED (IN LIQUIDATION),)	
acting by and through the Foreign Representatives thereof,)	Adv. Pro. No. 10-03635
and KENNETH KRYIS and CHARLOTTE CAULFIELD,)	(SMB)
solely in their capacities as Foreign Representatives and)	
Liquidators thereof,)	
)	
Plaintiffs,)	
-against-)	
ABN AMRO SCHWEIZ AG A/K/A ABN AMRO)	
(SWITZERLAND) AG, ADLER AND CO PRIVATBANK)	
AG, ALLIANZBANK SPA/UNIFORTUNE)	
CONSERVATIVE SIDE POCKET, ALTERNATIVE)	
INVESTMENT STRATEGIES, ARSENAL SPC,)	
ARSENAL SPC OBO GLASGOW SEG PORT, BANCA)	
ARNER SA, BANCA UNIONE DI CREDITO, BANK)	
HAPOALIM SWITZERLAND LTD., BANK JULIUS)	
BAER & CO. LTD., BANK SARASIN & CIE, BANQUE)	
CANTONALE VAUDOISE, BANQUE CRAMER & CIE)	
SA, BBVA (SUISSE) SA, BCV AMC DEFENSIVE AL)	
FUND, BNP PARIBAS (SUISSE) SA, BNP PARIBAS)	
(SUISSE) SA EX FORTIS, BNP PARIBAS (SUISSE) SA)	
PRIVATE, BSI AG, BSI EX BANCA DEL GOTTARDO,)	
CACEIS BANK LUXEMBOURG, CBB (BVI)/ THE)	
ALKIMA FUND, CBT GEMS LOW VOL REG,)	
COMPAGNIE BANCAIRE HELVETIQUE, CENTRUM)	
BANK AG (AMS), CLARIDEN LEU LTD., CORNER)	
BANCA SA, CREDIT SUISSE AG ZURICH, DEXIA)	
BANQUE INTERNATIONALE A, LUXEMBOURG,)	
DRESDNER BANK SCHWEIZ, EFG BANK SA)	
SWITZERLAND, EFG EUROFINANCIER D'INVEST)	
MCL, ENDURANCE ABSOLUTE LTD. MASTER,)	
FAIRFIELD INVESTMENT GCI, FAIRFIELD)	
INVESTMENT FUND LTD., FALCON PRIVATE BANK,)	
FIF ADVANCED LTD., FINTER BANK ZURICH,)	
HARMONY CAPITAL FUND LTD., HSBC, IHAG)	

HANDELSBANK AG, INCORE BANK AG, KARASEL
ENHANCED PORTFOLIO, KARLA
MULTISTRATEGIES LTD., LGT BANK IN
LIECHTENSTEIN AG, LIECHTENSTEINISCHE LB
REINVEST AMS, LLOYDS TSB BANK GENEVA,
LOMBARD ODIER DARIER HENTSCH & CIE,
LONGBOAT LTD., MASTER CAPITAL AND HEDGE
FUND, NATIONAL BANK OF KUWAIT, NBK
BANQUE PRIVEE SUISSE SA, PICTET & CIE, PKB
PRIVATBANK AG, QUASAR FUNDS SPC A/K/A
QUASAR FUND SPC CLASS A AND CLASS B CGCNV,
RBC DEXIA INVESTOR SERVICE JULIUS BAER
SICAV, RBS COUTTS BANK LTD., RICHOURT AAA
MULTISTRATEGIES, ROTHSCHILD BANK AG
ZURICH (DUBLIN) A/K/A ROTHSCHILD BANK AG,
ROTHSCHILD BANK GENEVA (DUBLIN),
ROTHSCHILD LUGANO DUBLIN A/K/A BANCA
PRIVATA EDMOND DE ROTHSCHILD LUGANO S.A.,
EDMOND DE ROTHSCHILD (SUISSE) S.A., SIS
SEEGANINTERSETTLE, SIX SIS LTD., SOCIETE
GENERALE BANK & TRUST, SOUNDVIEW FUND,
SWISSCANTO FD CENTRE CLIENTS A/C, T1 GLOBAL
FUND LTD., UBS AG NEW YORK, UBS AG ZURICH,
UBS JERSEY NOMINEES, VERWALTUNGS UND
PRIVAT-BANK AG AKTIENGESELLSCHAFT (AMS),
VORARLBERGER LANDES UND
HYPOTHEKENBANK AKTIENGESELLSCHAFT AND
BENEFICIAL OWNERS OF ACCOUNTS HELD IN THE
NAME OF CGC NA 11000, HSBC PRIVATE BANK
SUISSE SA, BRUDERER, CAPITALIA, PAN
INTERNATIONAL LIMITED and BENEFICIAL
OWNERS OF ACCOUNTS HELD IN THE NAME OF
HSBC PRIVATE BANK SUISSE SA 1-1000,

Defendants.

This document is also being filed in the lead adversary proceeding, *Fairfield Sentry Ltd. (in Liquidation) et al. v. Theodoor GGC Amsterdam et al.*, Adv. Pro. No. 10-03496.

**DEFENDANTS-APPELLEES' STATEMENT OF ADDITIONAL
ISSUES TO BE PRESENTED AND DESIGNATION OF ADDITIONAL
ITEMS TO BE INCLUDED IN THE RECORD ON APPEAL**

Defendants-Appellees UBS AG (incorrectly sued herein as “UBS AG New York” and “UBS AG Zurich”) and UBS Jersey Nominees (collectively, “Defendants-Appellees”) by and through their undersigned counsel, respectfully submit, pursuant to Rule 8009 of the Federal Rules of Bankruptcy Procedure and Rule 8009-1 of the Local Bankruptcy Rules for the Southern District of New York, this statement of additional issues to be presented and designation of additional items to be included in the record on appeal with respect to the appeal by Plaintiffs-Appellants in the above captioned adversary proceeding (the “Adversary Proceeding”) from the April 15, 2019 Stipulated Order Granting in Part and Denying in Part Moving Defendants’ Motions to Dismiss and Plaintiffs’ Motion for Leave to Amend (“Stipulated Order”), the December 6, 2018 Memorandum Decision (“December 6, 2018 Memorandum Decision”), and the August 6, 2018 Memorandum Decision and Order Regarding the Defendants’ Motions to Dismiss for Want of Jurisdiction (“August 6, 2018 Memorandum and Order”) (together, the “Appealed Decisions and Orders”) issued by the United States Bankruptcy Court for the Southern District Of New York.

STATEMENT OF ADDITIONAL ISSUES TO BE PRESENTED ON APPEAL¹

1. All issues designated or to be designated by any other appellant, cross-appellant, appellee, or cross-appellee to any of the appeals or cross-appeals from the Appealed Decisions and Orders, including, without limitation, the issues stated in Plaintiffs' Statement of Issues to be Presented and Designation of Items to be Included in the Record on Appeal and the issues stated in Defendants-Appellees BNP Paribas (Suisse) SA, BNP Paribas (Suisse) SA Ex Fortis, BNP Paribas (Suisse) SA Private, Caceis Bank Luxembourg, and HSBC's Counter-Statement of Issues to be Presented and Counter-Designation of Items to be Included in the Record on Appeal.

DESIGNATION OF ADDITIONAL ITEMS TO BE INCLUDED IN THE RECORD ON APPEAL²

1. All items designated or to be designated by any other appellant, cross-appellant, appellee, or cross-appellee to any of the appeals or cross-appeals from the Appealed Decisions and Orders, including, without limitation, the items designated in Plaintiffs' Statement of Issues to be Presented and Designation of Items to be Included in the Record on Appeal (ECF No. 435);³ the items designated in Defendants-Appellees BNP Paribas (Suisse) SA, BNP Paribas (Suisse) SA Ex Fortis, BNP Paribas (Suisse) SA Private, Caceis Bank Luxembourg, and HSBC's Counter-Statement of Issues to be Presented and Counter-Designation of Items to be Included in the Record on Appeal (ECF No. 437); and

¹ Defined terms carry the meaning ascribed to them in the corresponding decision or order from which appealed.

² Items designated include all exhibits and submissions attached thereto and, as to hearing transcripts, any and all documents admitted into evidence.

³ Unless otherwise specified, citations to (ECF No. ____) refer to docket entries from *Fairfield Sentry Limited, et al. v. ABN AMRO Schweiz AG, et al.*, 10-03635 (SMB) (Bankr. S.D.N.Y.).

A. Proposed additional items from the docket of *Fairfield Sentry Limited, et al. v. ABN AMRO Schweiz AG, et al.*, 10-03635-smb.

ECF Number	Date	Docket Text
115	06/08/2012	Opposition – <i>Opposition of the UBS Defendants to the Foreign Representatives Motion Seeking Limited Relief From Order Staying Redeemer Actions and Entry of Order Directing Defendants to Make Expedited Initial Disclosures on Beneficial Holders and Authorizing Amendment to Complaint in Redeemer Actions</i> filed by Marshall R. King on behalf of UBS AG New York, UBS AG Zurich, UBS Jersey Nominees. (King, Marshall) (Entered: 06/08/2012)
116	06/08/2012	Declaration – <i>Declaration of Jennifer C. Halter in Opposition to the Foreign Representatives Motion Seeking Limited Relief from Order Staying Redeemer Actions and Entry of Order Directing Defendants to Make Expedited Initial Disclosures on Beneficial Holders and Authorizing Amendment to Complaint in Redeemer Actions</i> (related document(s) 115) filed by Marshall R. King on behalf of UBS AG New York, UBS AG Zurich, UBS Jersey Nominees. (Attachments: #1 Exhibit A #2 Exhibit B #3 Exhibit C #4 Exhibit D #5 Exhibit E #6 Exhibit F #7 Exhibit G #8 Exhibit H) (King, Marshall) (Entered: 06/08/2012)

RESERVATION OF RIGHTS

Defendants-Appellees expressly reserve their rights to supplement the record on appeal or any cross-appeal and to adopt the designation of any items designated or counter-designated by any other appellant, cross-appellant, appellee, or cross-appellee to any of the appeals or cross-appeals from the Appealed Decisions and Orders.

Dated: June 4, 2019
New York, New York

Respectfully submitted,
GIBSON, DUNN & CRUTCHER LLP

By: /s/ Marshall R. King

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